

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA,)
)
 v.) CASE NO. DNCW3:02CR21-MU
) (Financial Litigation Unit)
JAMES REUBEN BURTON, JR.,)
d/b/a The Linville Group.)

**CLERK'S NOTICE OF POST-JUDGMENT EXECUTION
AND INSTRUCTIONS TO DEBTOR**

You are hereby notified that this execution on properties is being taken by the United States of America, which has a judgment against you in case number DNCW3:02CR21-MU in the United States District Court for the Western District of North Carolina in the amount of \$3,204,578.98. A balance of \$2,728,112.89 remains outstanding as of November 8, 2011.

In addition, you are hereby notified that there are exemptions under the law which may protect some of this property from being taken by the United States Government if James Reuben Burton, Jr. can show that the exemptions apply. Attached is a summary of the major exemptions which apply in most situations in the State of North Carolina.

If you are James Reuben Burton, Jr. you have a right to ask the court to return your property to you if you think you do not owe the money to the Government that it says you do, or if you think the property the Government is taking qualifies under one of the attached exemptions.

If you want a hearing, you must notify the court within 20 days after your receive this notice. You must make your request in writing, and either mail it or deliver it in person to the Clerk of the United States District Court at Room 204, Charles R. Jonas Building, 401 West Trade Street, Charlotte, NC 28202. If you wish you may use this notice to request the hearing by checking the box below and mailing this notice to the court clerk.



You must also send a copy of your request to the Government at: Jennifer A. Youngs, Assistant United States Attorney, Attention: Financial Litigation Unit, United States Attorney's Office, 227 West Trade St., Suite 1650, Charlotte, NC 28202, so the Government will know that you want a hearing. The hearing will take place within 5 days after the Clerk receives your request, if you ask for it to take place that quickly, or as soon after that as possible.

At the hearing you may explain to the judge why you believe the property the Government has taken is exempt or why you do not owe the money to the Government. If you do not request a hearing within 20 days of receiving this notice, your property may be sold at public auction and the proceeds of the sale paid on the debt you owe the Government.

If you think you live outside the Federal judicial district in which the court is located, you may request, not later than 20 days after you receive this notice, that this proceeding to take your property be transferred by the court to the Federal judicial district in which you reside. You must make your request in writing, and either mail it or deliver it in person to the clerk of the court at Room 204, Charles R. Jonas Building, 401 West Trade Street, Charlotte, NC 28202. You must also send a copy of your request to the Government at: Jennifer A. Youngs, Assistant United States Attorney, Attention: Financial Litigation Unit, United States Attorney's Office, 227 West Trade St., Suite 1650, Charlotte, NC 28202, so the Government will know you want the proceeding to be transferred.

Be sure to keep a copy of this notice for your own records. If you have any questions about your rights or about this procedure, you should contact a lawyer, an office of public legal assistance, or the clerk of the court. The clerk is not permitted to give legal advice, but can refer you to other sources of information.

Signed: November 8, 2011


Frank G. Johns, Clerk
United States District Court



CLAIM FOR EXEMPTION FORM
MAJOR EXEMPTIONS UNDER FEDERAL LAW (18 U.S.C. §3613)

- _____ 1. Wearing apparel and school books. -- Such items of wearing apparel and such school books as are necessary for the debtor or for members of his family.
- _____ 2. Fuel, provisions, furniture, and personal effects. -- So much of the fuel, provisions, furniture, and personal effects in the Debtor's household, and of the arms for personal use, livestock, and poultry of the debtor, as does not exceed \$6,250 in value.
- _____ 3. Books and tools of a trade, business, or profession. -- So many of the books, and tools necessary for the trade, business, or profession of the debtor as do not exceed in the aggregate \$3,125 in value.
- _____ 4. Unemployment benefits. -- Any amount payable to an individual with respect to his unemployment (including any portion thereof payable with respect to dependents) under an unemployment compensation law of the United States, of any State, or of the District of Columbia or of the Commonwealth of Puerto Rico.
- _____ 5. Undelivered mail. -- Mail, addressed to any person, which has not been delivered to the addressee.
- _____ 6. Certain annuity and pension payments. -- Annuity or pension payments under the Railroad Retirement Act, benefits under the Railroad Unemployment Insurance Act, special pension payments received by a person whose name has been entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor roll (38 U.S.C. 1562), and annuities based on retired or retainer pay under Chapter 73 of Title 10 of United States Code.
- _____ 7. Workmen's Compensation. -- Any amount payable with respect to compensation (including any portion thereof payable with respect to dependents) under a workmen's compensation law of the United States, any State, the District of Columbia, or the Commonwealth of Puerto Rico.
- _____ 8. Judgments for support of minor children. -- If the debtor is required by judgment of a court of competent jurisdiction, entered prior to the date of levy, to contribute to the support of his minor children, so much of his salary, wages, or other income as is necessary to comply with such judgment.
- _____ 9. Certain service-connected disability payments. -- Any amount payable to an individual as a service-connected (within the meaning of section 101(16) of Title 38, United States Code) disability benefit under -- (A) subchapter II, III, IV, V, or VI of Chapter 11 of such Title 38 or (B) Chapter 13, 21, 23, 31, 32, 34, 35, 37 or 39 of such Title 38.
- _____ 10. Assistance under Job Training Partnership Act. -- Any amount payable to a participant under the Job Training Partnership Act (29 U.S.C. 1501 et seq.) From funds appropriated pursuant to such Act.